

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-35-W/S - ORDER NO. 2005-477
SEPTEMBER 9, 2005

IN RE: Petition of Haig Point Utility Company,) ORDER GRANTING
Incorporated for Expansion of Service Area) EXPEDITED REVIEW
and Approval of Contract.) AND APPROVING
) PETITION AND
) CONTRACT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition of Haig Point Utility Company, Inc. (HPU or the Company) for expansion of its service area and approval of a contract between HPU and Widewater Dunes Limited Partnership (Widewater). According to the Petition, HPU is a public utility currently providing water and sewer services to property owners within the Haig Point Plantation, pursuant to this Commission's Order approving establishment of service area and rates and charges, Order No. 88-522, dated May 24, 1988. HPU was recently granted an increase in rates and charges pursuant to Order No. 2005-436, dated August 25, 2005, which approved a settlement agreement among the parties to the case.

Pursuant to instructions from the Commission's Docketing Department, HPU was instructed to publish a Notice of Filing in newspapers of general circulation in the areas affected by the Petition. The Company provided proof of the publication. No Petitions to Intervene or Protests were received. A letter was received from the Office of Regulatory Staff (ORS), which stated that that agency did not oppose the relief sought.

Subsequently, HPU moved for expedited review of the Petition, without prefiled testimony, notice or hearing. HPU noted that, in its Petition, it seeks an extension of its authorized water and sewer service area to include certain additional acreage known as “Cedar Cove,” which is located on Daufuskie Island, South Carolina. In addition, HPU seeks corresponding approval of a contract between it and Widewater, the owner and developer of Cedar Cove, which would govern the provision of water and sewer service to Cedar Cove.

HPU notes that although the governing regulations in this matter, 26 S.C. Code Ann. Regs. 103-504 and 103-704 provide for notice and hearing, 26 S.C. Code Ann. Regs. 103-501(3) and 103-701(3) provide for a waiver of Commission regulations. HPU notes that this Commission has previously waived notice and hearing as being in the public interest in cases where extensions to service territory have been sought by a utility due to a potential customer or customers are seeking services from that utility. In the present case, because Widewater desires to have water and sewer service provide by HPU to Cedar Cove as provided for in the contract for which HPU seeks approval, HPU moves that the Commission waive notice and hearing and dispose of the matter summarily.

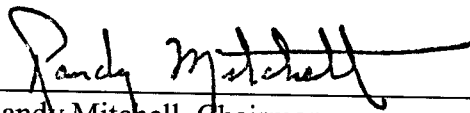
Presently, the proposed service area is not served by a public or governmental water or sewer utility subject to the Commission’s jurisdiction. No parties have sought to intervene, nor have protests been filed. HPU further notes that ORS finds the Petition acceptable. Thus HPU submits that the public convenience and necessity will be served by the granting of the Motion, and that the same should be granted without further proceedings. We agree.

We grant the Motion for Expedited Review. Clearly, this Commission has found waiver of the pertinent regulations to be in the public interest when other extensions to service territories have been sought by utilities, and we also believe that this is appropriate in the present case, wherein no protests or Petitions to Intervene have been filed, and the ORS does not oppose the Petition. We waive notice and hearing, and will proceed to dispose of the matter summarily.

We approve the Petition for expansion of the service territory of HPU. We believe that this approval is in the public interest, since it will provide water and sewer service to a new development on Daufuskie Island, which is an area not easily reachable by water and sewer utilities. However, prior to this expansion, we hold that the Company must complete posting of the \$350,000 bond for water and the \$350,000 bond for sewer as agreed upon and approved in Order No. 2005-436. We believe that the public will be protected by the posting of these bonds. Finally, we approve the contract between HPU and Widewater as being in the public interest.


This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice-Chairman

(SEAL)